IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.2 OF 2006

Cowtown Land Development Pvt. Ltd. ... Petitioner.

vs.

Seth Industries Ltd. and others. .... Respondents.

Mr.K.D.Parekh i/b. M/s.Kanga & Co., for Petitioner.

Mr.Gaurav Joshi i/b. Mr.Madhukar Harmawar, for Respondents.

CORAM: D.K.DESHMUKH,J.

DATED: 9th January, 2006

P.C.:-

In view of the fact that both the parties have appointed their nominee on the Arbitral Tribunal and now those two arbitrators have to appoint third Arbitrator and it is expected by everybody that two Arbitrators will appoint third Arbitrator and shall complete constitution of Arbitral Tribunal as expeditiously as possible and as there is already an ad-interim order granted by this Court, in my opinion, the following order would meet the ends of justice:-

1. Ad-interim order granted by this Court by order dated 16.12.2005 shall continue to operate for a period of Six weeks from today, with liberty to the petitioner to apply for the same interim relief before the Arbitral Tribunal on completion of its constitution.

2. The petitioner shall be at liberty to apply for extension of ad-interim order in case within the aforesaid period of six weeks the constitution of the Arbitral Tribunal is not completed.

3. All the contentions available to both the sides are kept open to be raised before the Arbitral Tribunal.

The petition is disposed of.